

**REMARKS**

Claims 2-7 and 9-16 are in the pending application.

Claims 3 and 10 has been amended to replace the words “plural” with the words “a plurality of”, “embedded devices in the plurality of” and “plurality of”.

**§ 102 Rejections**

In the Office Action the Examiner rejected claims 2-6, 9-13 and 15-16 under 35 U.S.C. § 102 as being anticipated by “NewNet SMserver: Wireless Short Message Service Tutorial”, hereinafter “NewNet”.

**Brief Description of the Cited Reference**

NewNet describes basic concepts of the well-known wireless short messaging service (SMS). See NewNet, page i. According to NewNet, SMS provides a mechanism for transmitting short messages to and from wireless handsets. A message is transmitted to a mobile subscriber (MS) through a short message service center (SMSC) which is responsible for relaying, storing and forwarding short messages sent between a short message entity (SMEs) (e.g., an entity in a fixed network, a mobile station or another service center) and a MS. See NewNet, § 3.2. In a typical message scenario, a short message sent from an SME to a MS is generated at an SME and transferred to an SMSC. The SMSC interrogates a home location register (HLR) associated with the MS to acquire routing information that is used to route the short message to the MS. The SMSC sends the short message to a mobile switching center (MSC) which retrieves subscriber information from a visitor location register (VLR) with which the MS is registered. The MSC uses the subscriber information to transfer the short message to the MS. See NewNet, §§ 3 and 5.

**Brief Description of the Present Invention**

The present invention relates to a technique for routing messages from a service system to embedded devices over a data network. According to an aspect of the technique, messages from one or more server processes that are destined for a plurality of embedded devices are

queued. Each of the messages is associated with a unique identifier which is independent of any communication protocol.

For each message, the unique identifier is used to locate a destination address for the message. The message is then transmitted over the data network to the embedded device associated with the destination address regardless of whether the embedded device is active on the data network. A check is performed to determine if the embedded device has acknowledged receipt of the message. If not, the message is stored until the embedded device can accept the unacknowledged message.

#### Differences Between the Present Invention and the Cited Art

The MPEP at Section 2131.01 states that:

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

MPEP Section 2131.01 quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814F.2D628,631, to USPQ2D1051,1053 (Fed. Cir. 1987).

Representative claim 10 recites:

10. A method for routing messages from a server system to embedded devices over a data network, the method comprising:

***queuing messages from one or more server processes that are destined for a plurality of embedded devices***, each of the messages being addressed to one of the embedded devices in the plurality of embedded devices with a unique identifier, the unique identifier being independent of any communication protocol;

for each message, determining a destination address according to a communication protocol by a database lookup using the unique identifier of the embedded device;

***for each message, transmitting the message directly to the destination address of the embedded device*** over the data network ***regardless of whether the embedded device is active on the data network***;

waiting for acknowledgment of the messages from the embedded devices;

and

storing unacknowledged messages until corresponding ones of the plurality of embedded devices can accept the unacknowledged messages.

Applicants respectfully submit that NewNet does not describe either expressly or inherently the Applicant's claimed combination of “***queuing messages from one or more server processes that are destined for a plurality of embedded devices...***” and “***for each message,***

***transmitting the message directly to the destination address of the embedded device... regardless of whether the embedded device is active on the data network”.***

First, NewNet is silent with regards to queuing messages from one or more server processes that are destined for embedded devices. At best, NewNet describes storing messages at an SMSC that are forwarded to the MSs. However, NewNet fails to teach or suggest that these messages are actually queued at the SMSC.

Second, while NewNet describes transmitting a message to a mobile station in a wireless network, NewNet fails to describe transmitting a message to a MS regardless of whether the MS is active in the wireless network. In fact, NewNet seems to suggest that the MS must be active (i.e., registered) before an attempt is made to deliver a message to the MS. See NewNet, § 4, page 5, “Point-to-point short message delivery: The mechanism provides a means for the SMSC to transfer a short message to the MSC which is serving the addressed mobile station and attempts to deliver a message to an MS whenever the MS is registered...”. If the attempt to deliver the message is unsuccessful, the message is stored at the SMSC until the MS becomes active. See NewNet, §§ 1 and 3.3. Thus, according to NewNet a message is sent to an MS when the MS is active and not when the MS is inactive. This is in sharp contrast to the Applicants’ claims which specifically claim that a message is sent to the embedded device in the network regardless of whether the embedded device is active on the network.

Because of the absence of “***queuing messages from one for more server processes that are destined for a plurality of embedded devices***” and “***for each message, transmitting the message directly to the destination address of the embedded device... regardless of whether the embedded is active on the data network***” in NewNet, the Applicants respectfully submit that NewNet does not render the Applicants’ claims 2-6, 9-13 and 15-16 anticipated under 35 U.S.C. § 102. Therefore, the Applicants respectfully request that the above rejection to these claims be withdrawn.

### **Section 103 Rejections**

In the Office Action, Claims 7 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over NewNet.

The Applicants respectfully submit that Claims 7 and 14 are dependent on believed to be allowable independent claims which, as noted above, claim matter that is not disclosed in NewNet. Therefore, the Applicants respectfully request that the above rejection of these claims be withdrawn.

Information Disclosure Statement

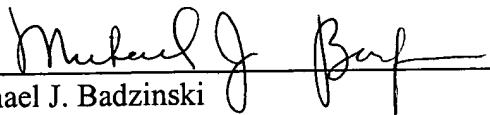
A Supplemental Information Disclosure Statement (IDS) is being filed concurrently herewith. Entry of the IDS is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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